

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 729

Short Title: Charter Schools Omnibus. (Public)

Sponsors: Representatives Yarborough, Hardister, Bradford, and Brody (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Rules, Calendar, and Operations of the House

April 29, 2021

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING CHARTER SCHOOLS.

The General Assembly of North Carolina enacts:

PART I. CHARTER SCHOOLS MAY PROVIDE REMOTE INSTRUCTION

SECTION 1.(a) G.S. 115C-218.85(a)(1) reads as rewritten:

"(1) The school shall provide instruction each year for at least 185 days or 1,025 hours over nine calendar months. The school may meet this requirement by providing in-person or blended instruction. For purposes of this section, the term "blended instruction" refers to a combination of remote and in-person classroom instruction."

SECTION 1.(b) G.S. 115C-218.8 is amended by adding a new subdivision to read:

"(4) Provide blended instruction in accordance with G.S. 115C-218.85(a)(1)."

PART II. LOCAL BOARDS OF EDUCATION SHALL NOT REQUIRE CHARTER SCHOOLS TO PROVIDE DEMOGRAPHIC INFORMATION

SECTION 2. Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-218.27. No requirement to provide demographic information to a local board of education.

Notwithstanding any other provision of law, a charter school is under no obligation to provide to a local board of education demographic information on its student body or any individual student enrolled at the charter school except to the extent the information is necessary for the local school administrative unit to verify that a student enrolled in the charter school resides within the local school administrative unit."

PART III. AUTHORIZE COUNTIES TO PROVIDE CAPITAL FUNDS TO CHARTER SCHOOLS

SECTION 3.(a) G.S. 115C-218.100(b) reads as rewritten:

"(b) Distribution of Assets. – Upon dissolution of a charter school, all net assets of the charter school purchased with public funds shall be deemed the property of the local school administrative unit in which the charter school is ~~located~~-located, except capital-sourced assets. For purposes of this subsection, capital-sourced assets include (i) capital funds provided to a charter school by one or more counties pursuant to G.S. 115C-218.105(b1) and (ii) net assets



1 purchased or improved with such funds, up to the total amount of the funds provided.
2 Capital-sourced assets shall be deemed the property of the county or counties providing the
3 funding and, if applicable, divided between the counties in proportion to the funds provided."

4 **SECTION 3.(b)** G.S. 115C-218.105 is amended by adding the following new
5 subsections to read:

6 "(b1) Counties may provide funds to charter schools by direct appropriation as set forth in
7 G.S. 153A-460. These funds shall be used only for the following purposes:

8 (1) The acquisition of real property for school purposes, including, but not limited
9 to, school sites, playgrounds, and athletic fields.

10 (2) The acquisition, construction, reconstruction, enlargement, renovation, or
11 replacement of buildings and other structures, including, but not limited to,
12 buildings for classrooms and laboratories, physical and vocational educational
13 purposes, libraries, auditoriums, and gymnasiums.

14 (3) The acquisition or replacement of furniture and furnishings, instructional
15 apparatus, technology, data-processing equipment, business machines, and
16 similar items of furnishings and equipment.

17 (b2) If a charter school uses funds provided in subsection (b1) of this section to acquire or
18 improve property, the amount provided by the county must be evidenced by a promissory note
19 and secured by a deed of trust on the property acquired or improved by the funds. The county
20 may subordinate the deed of trust to other liens to facilitate the acquisition or improvement of
21 the property secured by the deed of trust. In the event that a charter school repays the county in
22 the amount of the capital funds provided, the county shall, for the property acquired or improved
23 by the funds, execute and file a deed of release or other documentation of satisfaction showing
24 the charter school repaid the county in the amount of the capital funds provided."

25 **SECTION 3.(c)** G.S. 153A-149(c) reads as rewritten:

26 "(c) Each county may levy property taxes for one or more of the purposes listed in this
27 subsection up to a combined rate of one dollar and fifty cents (\$1.50) on the one hundred dollars
28 (\$100.00) appraised value of property subject to taxation. Authorized purposes subject to the rate
29 limitation are:

30 ...

31 (8a) Charter Schools. – To provide capital funds for charter schools as authorized
32 by G.S. 153A-460.

33"

34 **SECTION 3.(d)** Chapter 153A of the General Statutes is amended by adding a new
35 section to read:

36 "**§ 153A-460. Charter schools.**

37 Each county is authorized to appropriate funds and lease real property to schools chartered
38 under Article 14A of Chapter 115C of the General Statutes. Counties may provide funds only for
39 the purposes set forth in G.S. 115C-218.105(b1)."
40

41 **PART IV. FUNDING PARITY AMONG CHARTER SCHOOLS AND OTHER PUBLIC** 42 **SCHOOL UNITS**

43 **SECTION 4.** Article 14A of Chapter 115C of the General Statutes is amended by
44 adding a new section to read:

45 "**§ 115C-218.107. Charter school funding parity.**

46 It is the intent of the General Assembly to ensure that all funds for public school students
47 attending charter schools are provided in amounts that are comparable to funds provided for
48 public school students attending other public school units."
49

50 **PART V. PERMIT CHARTER SCHOOL TEACHERS TO RECEIVE RESIDENCY** 51 **LICENSURE**

1 **SECTION 5.(a)** G.S. 115C-270.20(a)(5) reads as rewritten:

2 "(5) Residency License or RL. – A one-year license, renewable twice, that meets
3 both of the following requirements:

4 a. Is requested by the local board of education or the board of directors
5 of the charter school and accompanied by a certification of supervision
6 from the recognized educator preparation program in which the
7 individual is enrolled.

8 b. The individual for whom the license is requested meets all of the
9 following requirements:

10 1. Holds a bachelor's degree.

11 2. Has either completed coursework relevant to the requested
12 licensure area or passed the content area examination relevant
13 to the requested licensure area that has been approved by the
14 State Board.

15 3. Is enrolled in a recognized educator preparation program.

16 4. Meets all other requirements established by the State Board,
17 including completing preservice requirements prior to
18 teaching."

19 **SECTION 5.(b)** This section applies to individuals seeking licensure on or after the
20 effective date of this act.

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22 **PART VI. EFFECTIVE DATE**

23 **SECTION 6.** This act is effective when it becomes law and, except as otherwise
24 provided, applies beginning with the 2021-2022 school year.